

TOWN OF TRURO  
BOARD OF SELECTMEN  
MEETING OF WEDNESDAY, JUNE 1, 2005

The Truro Board of Selectmen met for their weekly session on Wednesday, June 1, 2005 at 6:00 p.m. at the Truro Town Hall, 24 Town Hall Road, Truro. In attendance were: Chairman Alfred Gaechter, Vice-Chairman Gary Palmer, Clerk Paul J. Asher-Best, Lloyd F. Rose, Christopher R. Lucy, Town Administrator Pamela Nolan, Assistant Town Administrator John J. Sanguinet, Administrative Secretary Julie DuPree, Chief Thomas, Martha Nagy, Bill Worthington, Marian Averback, Cathy Costa, Dick Seed, Susanne Grout Thomas, Kendall Ayers, Mike Packard, John LaForte, Paul Tasha, Cheryl Grenier, Gladys Bateman, Steve Royka, Sue Goldstone, Susan Kurtzman, Mike Benjamin, Kaimi Lum of the Banner, and Steve Desroche of the Cape Codder.

Mr. Gaechter convened the meeting at 6:00 p.m.

**Minutes:** Mr. Palmer moved to approve the minutes of May 25, 2005 with a correction. At last week's meeting, he told the BOS that the Golf Course Advisory Commission had endorsed Ms. St. Onge's application to serve; he misspoke. The Commission did not vote on that. Mr. Asher-Best seconded it. Vote: 5-0, unanimous.

**Mr. Palmer moved to approve the minutes of the Executive Session of May 25, 2005 as presented and that they be held. Mr. Gaechter seconded it. Vote: 5-0, unanimous.**

**Public Comment:** Ms. Goldstone reminded the Board that three celebratory events are coming up and she wondered if the BOS was going to appoint a committee to work on them. The 10<sup>th</sup> anniversary of the lighthouse move, the 150<sup>th</sup> anniversary of the lighthouse and the Tri-Centennial of the town are all coming up. Mr. Gaechter thanked her for the reminder and said the Board would make a note of it.

**Lease of Cobb Library:** This matter had been deferred until after the spring meeting of the Historical Society. Ms. Kurtzman reported that their Board has met and they still have an interest in such a lease. Ms. Nolan noted that a draft lease has been reviewed by Town Counsel. Mr. Gaechter asked that both parties review the draft lease, and if there is agreement on the lease, that Cobb Library be leased to the Historical Society for a token amount. Mr. Palmer asked if the building would be open to the public. Ms. Kurtzman said that at first it would be open only by appointment. The need for handicapped access was discussed. Mr. Gaechter said that as he recalled, the Town was to be responsible for exterior maintenance of the building, and the Historical Society was to be responsible for interior maintenance. As he understood it, the handicapped access was to be the Town's responsibility; he and Mr. Morris looked at the site and thought they should provide access off the side road. In e-mails with Mr. Steinman, he was told that they could use CPA money for this under maintenance of a historic building, and there may be grant money as well. **Mr. Gaechter moved to authorize the lease of Cobb Library to the Historical Society, contingent upon the execution of a lease agreement for \$1.00 per year. Mr. Palmer seconded it. Vote: 5-0, unanimous.**

**Regional Management of Sea Clam harvesting:** Mr. LaForte, Chairman of the Shellfish Advisory Committee told the Board that he was approached by the Shellfish Committee in Provincetown to look at a regional approach to regulating the harvest of sea clams. Mr. Tasha gave an overview and history of sea clam harvesting. It used to be under local control until the State took it over in 1982. The use of dredging machinery soon took its toll. Provincetown has

voted to try to take back the control from the State. The State has said they would only consider a request for regional control. It is felt that by controlling the resource regionally, they could limit the amount of sea clams that can be taken and the methods used, thus eliminate the use of dredging and over time, re-establish this shellfish, and provide a few year-round jobs. Protecting the sea bed will also benefit other species as well. Mr. Gaechter asked what the responsibilities of control would entail. Mr. Tasha reiterated that the State will only consider a regional request, and that we couldn't exclude any state licensed fishermen; we could control the amount taken in a day. The area affected would be all waters that are at least 40 feet deep at mean low tide on the bay side and 80 feet deep at mean low tide on the ocean side. Mr. Palmer asked how a joint mechanism would work. Mr. Jackett said that the two towns would develop a Shellfish Regional Management Plan which the State could approve. He suggested a start would be a letter to the Director of Marine Fisheries and to begin a dialogue on habitat restoration. Mr. Tasha said the two Shellfish Committees should work together to bring a plan their respective Boards of Selectmen. Mr. LaForte said that the SAC was in favor of enhancing our resources, and they felt this regional effort would do that. Mr. Palmer thought that having the language from Provincetown's vote would be helpful. Mr. Gaechter asked Mr. LaForte to get a report together with specific information, including the language from Provincetown. The matter will be placed back on the BOS agenda for June 22, 2005.

**Community Septic Management Program:** Mr. Ayers gave the Board an overview of this program and the legislative changes that would allow the County to administer it for the towns. Mr. Palmer reported that the BOH had unanimously endorsed doing this. Mr. Gaechter said that the Town Accountant also recommends this. **Mr. Gaechter moved to authorize the County to administer the Community Septic Management Program on behalf of the town and that the Chair be authorized to sign an authorization letter to the County. Mr. Palmer seconded it. Vote: 5-0, unanimous.**

**Beach Commission:** Ms. Averback told the Board that Ms. Costa has agreed to stay on as Beach Supervisor. She told the Board that there has been a growing problem at Corn Hill with people storing their small boats on the beach above the high tide line. We need to act on this and she wondered if it would be the responsibility of the new Beach Enforcement Agent or the Harbor Master. Mr. Gaechter knew there was a problem last year with the nesting plovers, but wondered what other problems the boats caused. Ms. Costa said there was the potential loss of revenue to the town. Mr. Seed said that the problem is the steady increase in the number of boats left there; now there are 20-30 boats. Mr. Roderick said it is not just at Corn Hill Beach, but other areas as well, such as Snow's landing and Great Hollow. He suggested that they may want to consider installing racks. Mr. Gaechter said a policy statement by the BOS is needed and that could be incorporated into the General Bylaws. He suggested that we don't allow overnight storage and fine those who do. Mr. Seed suggested we not allow unattended boats and that would eliminate all storage; people could still pull their boats up on the beach for a picnic or swimming. Mr. Asher-Best asked if we displaced them, would they have a place to go. Mr. Seed said that they could trailer their boat to a launching place, as most boaters have to do. Mr. Roderick said we could also designate a storage place and charge a fee; enforcement will be a problem because most of these small boats don't have to be registered. Mr. Gaechter noted that most times when rules are posted there is a decrease in the activity. Mr. Gaechter would like to pass a policy tonight, get the signs posted and review how it is working in the fall, and get it in

the Bylaws if we should chose to. Mr. Palmer asked if the Beach Commission would promulgate something. **Mr. Gaechter moved to approve a policy of no boats left unattended on town beaches in concept, subject to the approval of the text from the Beach Commission. Mr. Asher-Best seconded it. Vote: 5-0, unanimous.**

Discussion centered on the problem with eroding beaches, particularly Longnook. Mr. Seed said in the past they had unofficially put sand over the cusp. That will not help now. Closure signs are up, and anything else they could do would require going to ConsCom. Ms. Nolan noted that Mr. Morris doesn't have a long term plan; there are options and a decision needs to be made. He is also concerned that over the weekend people were still using the beach. Since the town doesn't own much property there, Mr. Gaechter felt it was time to meet with the new CCNS Director and get his input. He asked that Mr. Morris come in next week to speak with the Board.

They discussed that a private citizen has the key to the gate at the Beach Point landing, and the need to get that key back. Chief Thomas filled the Board in on the history behind this. Mr. Gaechter directed the Town Administrator to research the difference between a town landing and a town beach, and the legality of a private person having a key. Chief Thomas suggested the easiest way to accomplish this was to change the lock. Ms. Costa stressed the need for all emergency personnel to have keys. Chief Thomas suggested a combination lock. Mr. Gaechter directed Ms. Nolan to get a combination lock and be sure the Police, Fire, Beach Supervisor and Town Hall all have the combination. Ms. Averback reported on another plover incident at Corn Hill. Ms. Costa has been checking on the nest twice a day, and today discovered vehicle tracks. Mr. Seed recommended that the Board close the beaches to ORV traffic from Corn Hill to Cold Storage until fledging, as was done last year. Beach Point landing will be locked as usual. **Mr. Palmer moved to close the beaches again this year until such time as the Beach Supervisor indicates they should be reopened. Mr. Gaechter seconded it. Vote: 5-0, unanimous.**

**Senior Municipal Service Program:** It was noted that this is running very well and no changes are needed. **Mr. Palmer moved to approve the guidelines with no changes. Mr. Asher-Best seconded it. Vote: 5-0, unanimous.**

**One-Day Alcoholic Beverage and Sunday Entertainment Licenses:** Mr. Strauss has applied for 12 one-day beer and wine licenses for his 2005 Payomet season. **Mr. Gaechter moved to approve the twelve dates and waive the fee. Mr. Palmer seconded it. Vote: 5-0, unanimous. Mr. Gaechter moved to approve Payomet's application for a Sunday Entertainment permit and to waive the fee. Mr. Palmer seconded it. Vote: 5-0, unanimous.**

**Policy Memorandum #19:** Ms. Nolan gave the Board an overview of the changes in their Sexual Harassment Policy. These deal with the appeal process. The other change, the addition of the words "and other forms" was questioned by the Board. Mr. Gaechter asked that Ms. Nolan get an opinion from Town Counsel on the use of those words. The Board may have to have a general harassment policy as well as a sexual harassment policy. The Board will take this up again when they have the input from Town Counsel.

**Town Administrator's Report:**

- Received a review of the options as our contract with SEMASS expires. The Board would like this issue on the agenda two weeks after Ms. Nolan's Manager's meeting on June 9<sup>th</sup>.
- Reported that the Red Sox trophy would be at TCS this Friday from 9:30 a.m.-10:00 a.m. for the school children, and from 10:00 a.m.-10:30 a.m. for the general public. There will be a police presence.
- Reported on the police accreditation. **Mr. Palmer moved to send a letter of commendation to the Police Department to be signed by the BOS. Mr. Asher-Best seconded it. Mr. Gaechter will draft the letter. Vote: 5-0, unanimous.**
- Received a report from the Harbor Master. He has arranged for a meeting on our dredge window on June 13, 2005 at 1:00 p.m. at Hanscom Air Force Base. Mr. Roderick suggested that our legislators be invited to attend this meeting. Mr. Gaechter directed that Mr. Roderick and Ms. Nolan draft a letter to them and get it out as soon as possible. **Mr. Palmer moved to authorize the chair to sign the letter on behalf of the BOS. Mr. Asher-Best seconded it. Vote: 5-0, unanimous.** Ms. Nolan said that Mr. Roderick would be back on the agenda next week regarding a soda machine at the Harbor. Mr. Gaechter and Ms. Nolan will both try to attend the June 13<sup>th</sup> meeting. Ms. Nolan was asked to get directions.
- The contract with Great Northern was in the signature file for the Chair to sign.

**Selectmen/Liaison Reports:**

**Palmer:** -The BOH is considering a new regulation to monitor where conditions are beyond Title V.

**Gaechter:** -The LCPC will meet jointly with the BOS on June 15<sup>th</sup>. They are meeting prior to that to review and prioritize the BOS task list. He asked that the BOS review their assignments prior to the joint meeting in case there are questions, and that they also discuss the task list with their liaison committees. He thought it would be helpful to send a letter indicating the BOS's support of the LCPC, and urging that they look at the list and coordinate with the LCPC. **He moved that he draft such a letter. Mr. Asher-Best seconded it. Vote: 5-0, unanimous.**

**Asher-Best:** -He didn't have any report, but thanked the press for their coverage of his opinions, and he congratulated them all on having a very good meeting tonight.

**With that done, Mr. Palmer moved to adjourn. Mr. Lucy seconded it. Vote: 5-0, unanimous.** It was 7:55 p.m. when the meeting was adjourned.

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Alfred Gaechter, Chairman

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Gary Palmer, Vice-Chairman

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Paul Asher-Best, Clerk

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Lloyd F. Rose

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Christopher R. Lucy

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